HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2381 OF 2005.

Mr.Vahid Abdul Hamid Shaikh. ...Applicant.

V/s.

The State of Maharashtra. ...Respondent

Shri Manoj J. Bhatt, for applicant.

Shri A.S.Gadkari, APP for respondent.

CORAM: A.M.KHANWILKAR,J
DATE : APRIL 11, 2005

P.C. :-

1. Heard the counsel for the parties.

2. Perused the record.

3. This is second bail application preferred by the present applicant before this court. First bail application was rejected after considering merits, on 1st December, 2003. However, the applicant has approached this court contending that there is change in circumstance in as much as the co-accused having similar role have been released by this court thereafter. The orders passed by this court at pages 18 to 26 are placed on record.

4. The learned APP for the Stae fairly accepts on instruction that the applicant is entitled to parity with the co-accused Amar Baburao Nalawade who has been released on bail on 5th August, 2004.

5. Accordingly, this application is allowed on the following terms.

(i) The applicant is directed to be released on bail in connection with the CR.No.I-75 of 2003 registered with Vishrantwadi Police Station, Pune on executing personal bond in the sum of Rs.20,000/- with one or two local sureties in like amount to the satisfaction of the trial court.

(ii) The applicant shall report to the concerned police station once in a week until conclusion of the trial, preferably on Saturday between 10 a.m. to 2 p.m.

(iii) The applicant shall not influence the prosecution witnesses nor tamper with the prosecution evidence.

(iv) The applicant shall not leave the city of

Pune without prior intimation to the concerned officer of Vishrant Wadi Police station.

(v) The applicant shall co-operate for early disposal of the trial pending in the trial court as first condition for bail. If the trial court is of the view that the applicant is responsible for the delay of the trial in any manner, that will be recorded in the roznama and that can be the basis for cancellation of bail.

. Accordingly, application is disposed of.